

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-1431

DAYAL PARDASANI,

Plaintiff - Appellant,

versus

MARTIN MARIETTA MATERIALS, INCORPORATED,

Defendant - Appellee,

and

PAIGE CORKHILL,

Defendant.

Appeal from the United States District Court for the Middle
District of North Carolina, at Durham. N. Carlton Tilley, Jr.,
Chief District Judge. (CA-02-247)

Submitted: August 26, 2004

Decided: September 1, 2004

Before WIDENER and SHEDD, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Dayal Pardasani, Appellant Pro Se. Cecil Webster Harrison, Jr.,
David Lester Woodard, POYNER & SPRUILL, Raleigh, North Carolina,
for Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Dayal Pardasani appeals the district court's order dismissing his employment discrimination complaint. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2000). The magistrate judge recommended that relief be denied and advised Pardasani that failure to file timely objections to this recommendation could waive appellate review of a district court order based upon the recommendation. Despite this warning, Pardasani failed to object to the magistrate judge's recommendation.

The timely filing of specific objections to a magistrate judge's recommendation is necessary to preserve appellate review of the substance of that recommendation when the parties have been warned that failure to object will waive appellate review. See Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985); see also Thomas v. Arn, 474 U.S. 140 (1985). Pardasani has waived appellate review by failing to file objections after receiving proper notice. Accordingly, we affirm the judgment of the district court.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED